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## **Marine Cultural Heritage: Frontier or Center?**

### **Abstract**

Marine cultural heritage is an area of emerging international interest among different sectors of society. Drawing together a diverse set of literatures on marine cultural heritage, maritime archaeology, the development of the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage, and ocean politics more broadly, this paper examines the ways in which marine cultural heritage might be understood as a frontier in terms not only of spatial territory, but also for knowledge, governance, and politics. As such, marine cultural heritage may bring the disciplinary practices of maritime archaeology into contact with more radical marine politics of postcolonial, subaltern, and Black scholarship. This analysis thus suggests stakes of marine cultural heritage for different communities, reaching far beyond the sites and objects themselves, and shows why marine cultural heritage is emerging as an urgent and dynamic concern at the present moment. Yet ultimately, whether or not marine cultural heritage is truly a frontier is a question that has different meanings depending on the perspective from which it is asked. These differing perspectives illuminate the changing meaning of ocean space as well as struggles over material and immaterial marine resources, and suggest that the frontier is itself a contested concept.

**Keywords:** marine cultural heritage; marine governance; oceans; maritime archaeology; shipwrecks.

### **Introduction**

How are historical traces of biophysical and socio-cultural life recorded by the ocean and made available for analysis and interpretation in the present? Who owns these traces, how should they be managed, and who is responsible for their preservation? The emerging field of marine cultural

heritage is dedicated to developing frameworks adequate to answering these questions. Marine cultural heritage entails the identification, investigation, and protection of sites of historical and archaeological significance that are submerged or on the seafloor. Global interest in marine cultural heritage is emerging as these sites face unprecedented challenges from intensified marine resource extraction and environmental change.

The development of marine cultural heritage signals a change in mainstream views of the ocean more broadly. For much of Western history, it was widely believed that the ocean was essentially a great void. Hamblin explains that as late as the 1950s even oceanographers asserted that the ocean “could be considered a giant sewer” (2006, p.210). Consequently, the ocean was considered to have little relation to human culture, politics, or economies, and even understood as peripheral to the biophysical support of human life (Steinberg 2001). Yet in recent decades this view has undergone radical revision. From climate change, to marine plastics, to radioactive waste, today we are aware that what we put into the sea stays with us, even if we cannot always predict the intensity, timing, or location of its effects (see also Fajardo 2011; Neimanis et al. 2017; Oreskes 2014).

Along these lines, the traces of history in the sea, and the ways in which they might be preserved, documented, excavated, and represented have also come under public consideration. For centuries the sea was not just the blank space on the map, or even a giant sewer; it was also a source of sunken treasure, subject to opportunistic exploitation by commercial treasure hunters and recreational divers. But recently the regime of free-market opportunism in which treasure hunters and professional salvors prospered is being challenged by those seeking to preserve marine historical artifacts and unearth the stories they might tell (Scovazzi, 2003). These efforts have been enshrined in intergovernmental language in the 2001 UNESCO Convention on the

Protection of the Underwater Cultural Heritage (CPUCH), which mandates that signatories should protect increasingly-threatened underwater cultural heritage for the benefit of humankind and not for commercial exploitation. Thus marine cultural heritage has been brought into the sphere of global ocean governance.

The recent development of the field of marine cultural heritage both extends and poses challenges for the notion of ocean frontiers. While marine historical artifacts, especially in the high seas, were historically subject to the ravages of opportunistic treasure-hunters, an international consensus that such artifacts are rare, interesting, and should be preserved has increasingly emerged over the last few decades (Green, 2008). This consensus can most literally be seen in the 2001 UNESCO CPUCH, the principles of which include an obligation to protect undersea culture, a preference for in situ preservation, the rejection of commercial exploitation, and the promotion of international collaboration and information sharing. But it is also evidenced more broadly in recent growth (albeit unevenly) of maritime archaeology programs, state undersea heritage programs, and funding from various sources for costly marine historical investigations (see for example Bass 2013; Green 2008; Kaoru and Hoagland 1994). However, the frontier notion is apt in other ways as well, as it implies a zone of contact, tension, and indeterminacy, from political, legal, and epistemological viewpoints. As marine cultural heritage emerges as an international concern, it challenges juridical regimes relating to the freedom of the high seas, and other regimes of governance and management at different scales (Garabello and Scovazzi 2003). The notion of marine cultural heritage, and the practices that accompany marine historical investigations, also create zones of contact and contestation between different disciplines and ways of knowing, with their own priorities and political legacies. Moreover, the tensions accompanying advancing ideas and practices of marine cultural heritage are exacerbated

by a contemporary conjuncture: a growing sense that the marine environment is under threat, coupled with an increasing realization of the central roles it plays in both hegemonic and subaltern orders of life on Earth (see also Oreskes, 2014).

This paper explores the significance of marine cultural heritage as a frontier for historical and scientific knowledge of the ocean that frequently translates into a frontier for marine resource management and governance at different scales. To understand the implications of this multifaceted frontier, it is necessary to take into account the unique properties of marine historical artifacts as well as broader definitions of marine cultural heritage. This paper accomplishes this through an exploration of the challenges that marine cultural heritage presents to legal regimes and to the practices of the heritage industry, as well as to conventional social science scholarship. The paper then explains how the field of maritime archaeology seeks to address the unique challenges and opportunities of marine historical investigations, and subsequently, how marine cultural heritage is addressed in international governance, in particular the 2001 UNESCO CPUCH. Yet, as I argue, the governance frontier suggested by the CPUCH may bring international governance and the disciplinary practices of maritime archaeology into contact with more radical postcolonial, subaltern, and Black scholarship on historical ties to the sea, thus creating a frontier between different forms of knowing and governing. Extending from this historical scholarship, this paper highlights a central tension: while marine cultural heritage might be accurately conceptualized as a frontier, it also forwards an understanding of the ocean as precisely not a frontier, and in fact at the center of human culture and world history. This tension illuminates a key quality of the concept of ocean frontiers itself: that whether or not the ‘frontier’ designation applies, and what is at stake in that frontier, depends as much on perspective and discourse as it does on material characteristics and legal frameworks.

## **What is marine cultural heritage?**

Most fundamentally, marine cultural heritage both names a historical and enduring relationship between human society and the ocean and recognizes the value of the physical traces of this relationship. For instance, in the preface to a recent central work on maritime archaeology, Catsambis, Ford, and Hamilton write, “The sea is perhaps the greatest boundary that humankind has looked upon through most of history. The timeless relationship between humanity and the ‘wine-dark sea,’ is, therefore, inseparably linked with what it is to be human” (2013, p. xiii). Perhaps less poetically, Bass states, “The importance of maritime cultures to the history of humankind is clear,” and goes on to sketch the global influence of watercraft, maritime laborers, ports, and coastal settlements (2013, p.3). As Bass suggests, by the very nature of its disciplinary practices, maritime archaeology draws connections between human activity on the sea’s surface and the ocean’s physical qualities as a space of volume, depth, and motion - connections that have been lacking in much social science scholarship on maritime history and culture (Steinberg 2013). The notion of marine cultural heritage also implies that this relationship between humans and the sea is at least partially legible, in material traces and/or discursive traditions.

Moreover, the use of ‘heritage’ rather than ‘history’ suggests that this relationship is still open and changing, and its significance belongs to the public realm rather than being under the exclusive purview of academic historians. Rassool (2000) highlights distinctions between history and heritage. For Rassool, ‘history’ is an academic discipline that relies on gate-keeping such as educational credentials and peer-review to establish and maintain command over historical fact, while ‘heritage’ is frequently understood as less authoritative, potentially relegated to public myth-making and lacking the rigor of peer review and elite academic training. Working against this argument to highlight the vibrancy and political relevance of recent developments in South

Africa's heritage industry, as well as fundamental challenges to the dominance of traditional historical practice, Rassool argues that instead of being assumed to be inherently less authoritative and generally inferior, heritage should be viewed as "an assemblage of arenas and activities of history-making that is as disputatious as the claims made about the character of academic history" (2000, p.5). I draw attention to what the 'heritage' in 'marine cultural heritage' might signal in order to show that any evaluation of marine cultural heritage must toggle back and forth between rather exclusive domains of international lawmaking, academic disciplines such as history and archaeology, and public practices of meaning-making in and beyond the commercial sphere - in the process perhaps unsettling some of the boundaries between these realms.

The 2001 UNESCO CPUCH defines underwater cultural resources as "all traces of human existence having a cultural, historical, or archaeological character which have been partially or totally under water, periodically or continuously, for at least 100 years" (Art 1., para. 1, a). This definition of course includes traces that are submerged in rivers, lakes, and other bodies of water; in keeping with the theme of this special issue, I will focus here in particular on marine traces although many of the insights apply beyond the marine realm. Marine cultural heritage was once defined as consisting chiefly of shipwrecks and submerged sites such as harbors and ports, but has expanded in recent decades to include "studies involving maritime activities, such as fishing, commerce, exploration, shore-based facilities that relate to maritime activities, and maritime landscapes" (Green 2008, p.1600). Maritime cultural landscapes, a term introduced in English by Christer Westerdahl, have gained special attention in the last few decades. The maritime cultural landscape approach "extends the focus of maritime archaeology beyond the ship," incorporating elements of history and ethnography with "the physical residue

of past systems” (Ford 2011, p.5). Moreover, as a topic, marine cultural heritage should be considered as extending beyond the dive site, and even the museum artifact, to the meanings that are co-produced by archaeologists, historians, communities, cultural institutions, and the marine environment itself. Thus, the objects of study, methodologies, professionals, and publics involved in the field of marine cultural heritage is experiencing an era of expansion and growth.

### **Challenges and opportunities of marine cultural heritage**

The concepts and practices associated with marine cultural heritage offer many challenges for conventional forms of knowledge and governance. For decades the most obvious challenge associated with marine cultural heritage was the activities of treasure hunters and commercial salvagers. Favored by international law, as I will explain shortly, treasure hunters were known to exploit shipwrecks and other submerged resources for commercial gain. Questions about what sites and artifacts have cultural and historical relevance, who owns submerged heritage, who is responsible for preserving it, and how potential commercial benefits should be distributed have plagued the institution of marine cultural heritage, particularly prior to the development of international legal frameworks such as the 2001 UNESCO CPUCH. The field faces many technical challenges as well given the harshness of the ocean environment; indeed, the investigation and preservation of underwater sites has only even become possible, in many cases, with new technologies such as advanced diving gear and remotely operated robotic vehicles (Kaoru and Hoagland 1994). In addition to these long-standing challenges, the contemporary moment poses new threats to marine cultural heritage. As global capitalism turns to the marine environment as a source of increasingly scarce resources, industrial activities, from deep-sea mining to telecommunications cable installment, threaten the integrity of the seabed and surrounding environment (see for example Van Dover 2014). As Flatman writes, “The growth



regions for twenty-first century maritime archaeology — the seas and coasts of Asia, Latin America, Africa, the Arctic and Antarctic — are all those areas most likely to be fought over in the future as nations, corporations and individuals alike compete over increasingly scarce resources” (2009, p.5). While Flatman’s argument relies on scarcity narratives and evidences Malthusian undertones, a similar argument could be made for the protection of the seabed in accord with regimes of redistributive justice, as most seabed mining exploitation is likely to benefit multinational companies (Barbesgaard 2018). Moreover, the effects of climate change threaten destruction of heritage sites due to extreme weather and coastal submersion (Murphy, Thackray, and Wilson 2009). Finally, the field of maritime archaeology, chiefly tasked with studying and preserving marine cultural resources, frequently lags behind other fields regarding adeptness in negotiating complex ethical and political dynamics inherent in international and cultural work (Flatman 2009).

Yet the current moment affords some unprecedented opportunities for the field of marine cultural heritage. New technologies not only make direct engagement with submerged sites and artifacts more possible, but they also extend opportunities for the telepresence of marine artifacts in museums and other cultural institutions as well as the internet, while leaving the artifacts themselves preserved *in situ*. Perhaps even more importantly, international legal frameworks, such as the 2001 UNESCO CPUCH, which will be discussed in greater detail below, as well as national policies in many nations, newly protect underwater cultural heritage from looting and treasure hunting, practices which had wide-reaching and significantly detrimental effects for decades (see for example Garabello and Scovazzi, 2003). Marine cultural heritage also benefits from an interest in the ocean’s relationship to history and culture more broadly that has emerged amongst a range of actors and at a wide set of geographic locations in the last several decades.

Once thought of as asocial and ahistorical in Western culture, the ocean increasingly occupies the center of historical and contemporary narratives, from the new discipline of Atlantic Studies to scholarship that highlights the outsized role that the ocean plays in global climate change (see also Oreskes 2014). Thus the time is ripe for the development of marine cultural heritage as a frontier in knowledge production, geographical investigation, and cultural analysis.

Perhaps most fundamentally, marine cultural heritage is difficult to categorize and classify, both from the perspective of institutions of knowledge and governance, and on a transformative ontological level. Some of the material traces with which marine cultural heritage is concerned, in particular shipwrecks, are frequently found far from their origin and/or destination, making it difficult to establish basic contextual facts as well as claims of ownership and responsibility (see Brodie 2000; Martin, 2013). They are hybrid sites in other ways as well, often colonized by marine species such that the lines between natural and cultural object are blurred. Moreover, ecological conservation efforts that encourage the flourishing of life on the artificial reefs provided by marine artifacts may prove counter to archaeological efforts that seek to preserve key features of the sites. Writing of shipwrecks in particular, Merchant argues that “the objects and beings found at wrecks are so situationally transgressive that their competing material signification (in the form of decay, biological take-over and their potential to evoke intertextual memories), has a noteworthy influence on the embodied practices and performances being played out on those who visit the site” (2014, p.118). Merchant’s words apply to marine cultural heritage beyond shipwrecks, and also, I argue, to encounters with its traces beyond the dive site, for example in museums and archives. Thus marine archaeological sites are cultural and natural, places of growth and destruction, traces of the past and ever-changing in the present, with tentacles stretching into sites of cultural meaning well beyond the sea. Marine cultural

heritage is thus a frontier in a most basic sense, occupying a set of borderlands in thought, governance, and geography. As I will elaborate below, marine cultural heritage also shares with other frontiers a contested nature, as ‘territories’ of law, governance, and politics are brought into new relationships through their interests in the field. Through efforts to both fix and extend physical, discursive, and legal boundaries, frontier logics operate at different pressure points as interest in marine cultural heritage develops.

### **Maritime archaeology**

While marine cultural heritage should be situated within broader trends regarding the perception of relationships between the sea and humanity, it is worth more closely examining maritime archaeology as it is the academic and professional field largely tasked with investigating, preserving, and interpreting the sites and artifacts that comprise marine cultural heritage. The discipline is occupied both with the particulars of specific sites and artifacts, and with what they might reveal about the societies to which they relate. The field of maritime archaeology is itself relatively new, with the first marine archaeological investigation occurring in 1960, during which the Cape Geledonia wreck, originating around 1200 B.C. and containing over a ton of valuable artifacts, was excavated by a team of archaeologists and divers (Green 2008). Alongside burgeoning commercial treasure-hunting and looting of undersea sites, “the discipline of maritime archaeology slowly evolved, largely independently from traditional terrestrial archaeology and often at times against enormous adversity” (Green 2008, p.1599). While the field has indeed grown, it remains small with less than two dozen universities offering maritime archaeology degrees worldwide (see <http://www.maritimearchaeology.com/education/>).

Archaeology, as a discipline, has long featured debates about its relationship to theory and politics (see Flatman 2003). Abu El-Haj (2001) writes that within a critical body of

scholarship, archaeology is understood to be producing interpretations with political impulses and implications not simply in analysis but also in artifact recovery. The political role that archaeology plays is such that the science “is seen to act as a source of legitimacy for particular, already constituted interests” (2001:9). Archaeology has frequently extended its colonial legacies into the present, working in the interest of securing hegemonic power formations (see for example Liebmann and Rizvi 2008; El-Haj 2001; Arthurs 2013). For example, Abu El-Haj (2001) connects archaeological practice in Palestine with Israeli nation-building ideologies, ultimately showing how archaeology has been mobilized in service of Israel’s colonial policies. Nonetheless, as Abu El-Haj argues, archaeology does not simply reflect current political mores; rather, it has a complex relationship with society wherein each has a role in shaping the other.

If marine history is increasingly seen as central to world history, marine archaeologists are increasingly entangled in societal issues. Due to the proximity of marine historical investigations to marine resource extraction projects, questions of complicity with these industries emerge, as well as ethical implications of accepting funds from resource industries to finance the expensive work of maritime archaeology (Flatman 2009). Additionally, and of equal importance, maritime archaeology faces ethical and political issues regarding the focus of investigations and the prioritization of resources. The field has long focused on shipwrecks, and military shipwrecks in particular. Yet in recent decades, calls to investigate other histories, and particularly sites of interest to marginalized people, have begun to be heard. Along with these calls come the need to be sensitive to how meanings of uncovered histories differ for different people, and to what effect; dealing with these challenges often requires collaborations with historians, curators, and others, many of whom are also wrestling with questions of representation, meaning-making, and politics.

Maritime archaeology has been somewhat unprepared to face these questions. When it comes to marine cultural heritage, maritime archaeology was long seen, at least by its practitioners, as inherently an ethical practice, saving valuable heritage from treasure hunters who cared only about its immediate commercial value. For decades, the singular ethical question was whether archaeologists should collaborate with treasure hunters, and only secondarily more complex questions of how archaeology should be done, by whom, and who controls the stories that result (see for example Abbass 1999; Conlin and Lubkemann 1999; Elia 1992). Yet some marine archaeologists are eager to take up the mantle of making meaning through new heritage sites. One prominent example can be found in the Slave Wrecks Project, an international and interdisciplinary team of divers, archaeologists, historians, and curators who are dedicated to locating, investigating, and making meaning from slave ship wrecks, as well as building capacity in the various facets of marine cultural heritage with local partners. As one member of the project writes, “we think of our work as existing on a crossroads - one between researchers and communities, between cultures and nations, the past and the present, ancestors and descendants, and between the sea and the land, bringing what is submerged above the horizon line, back into memory for all to see” (Gardullo 2016, p.13). This dedication to not just the physical sites and artifacts, but the legacies of the stories they tell, is perhaps the only approach that may be adequate to the freighted meanings and hybrid spaces that marine cultural heritage embodies.

### **Governing marine cultural heritage: The 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage**

Protecting the sites and artifacts that compose marine cultural heritage requires legislation. Sites and objects found within each nation’s territorial waters fall under their own jurisdiction,

although Article 303 of the United Nations Convention on the Law of the Sea (UNCLOS) sets out some very broad parameters: “States have the duty to protect objects of an archaeological and historical nature found at sea and shall co-operate for this purpose” (Scovazzi, 2003, p.4). While this stipulation is vague, it could have legal consequences for States that deliberately destroy marine cultural resources, or refuse to engage in meaningful negotiations with other States for the protection of marine cultural heritage (Scovazzi, 2003). National policies concerning marine cultural heritage are widespread though many consider them inadequate (Green, 2008). Here, I will focus on international legislation for the investigation and preservation of marine cultural resources as this perhaps best reflects international attitudes toward marine cultural heritage and constitutes the widest-reaching governmental power over these sites and objects.

Prior to the 2001 UNESCO CPUCH, UNCLOS was the most significant intergovernmental legal agreement concerning marine cultural heritage. In addition to the provision mentioned above, UNCLOS contains specific legislation regarding sites and objects found on the seafloor in areas that are beyond the jurisdiction of any nation-state (the Area, in UNCLOS parlance). Article 149 of UNCLOS states:

All objects of an archaeological and historical nature found in the Area shall be preserved or disposed of for the benefit of mankind as a whole, particular regard being paid to the preferential rights of the State or country of origin, or the State of cultural origin, or the State of historical and archaeological origin.

Thus, while UNCLOS singles out marine cultural resources as special kinds of objects deserving of international protection, it does not specify the kinds of actions that should be taken (Carducci, 2006). Moreover, as Scovazzi (2008) has pointed out, the UNCLOS regulations for

marine cultural heritage contain a significant gap when it comes to archaeological and historical artifacts found on the continental shelf or in the Exclusive Economic Zone, the area extending to 200 nautical miles from the shore where coastal states have rights to natural resources but not anthropogenic objects (see the Introduction to this special issue for more on this legal geography). More broadly, and perhaps of greater concern, the UNCLOS regime deferred to laws of salvage and admiralty, stating that they are unaffected by the protections alluded to in Article 303 above. The laws of salvage reward those who ‘rescue’ or retrieve ships or other forms of property that have been lost at sea. This facilitates “the application of a first-come-first-served or freedom-of-fishing approach which can only serve the interest of private commercial gain” (Scovazzi 2008, p.9). Thus, prior to the adoption of the 2001 UNESCO CPOCH, international law favored, or at least refused to interfere with, commercial efforts of treasure hunters and others who removed heritage artifacts from the sea.

The UNESCO CPOCH addressed the legal lacunas regarding marine cultural heritage that were residual in UNCLOS, particularly when it came to the continental shelf and laws of salvage. Yet this was not a straightforward process. When the General Conference of the UNESCO adopted the CPOCH on November 2, 2001, a 10-year negotiation process finally reached its end. The CPOCH was ratified by vote rather than consensus; this is an important distinction because the UN model favors consensus and only moves to a voting procedure if conflict exists. Thus, the use of the vote in this case indicates the degree to which some nations feared (and continue to fear) the “creeping jurisdiction by coastal states” and other threats to the freedom of the high seas (Scovazzi 2003, p.8; see also Garabello 2003). Nonetheless, the CPOCH signaled a turn away from a laissez-faire approach to the management of marine cultural resources and in fact an international will to protect them.

The CPUCH contains a number of foundational principles that set new standards for the preservation of marine cultural heritage as well as indicating broader trends in international governance. Perhaps most importantly, the CPUCH enshrined in international law for the first time an obligation to protect underwater cultural heritage. Underwater cultural heritage is defined in the CPUCH as “all traces of human existence having a cultural, historical or archaeological character which have been partially or totally under water, periodically or continuously, for at least 100 years” (Carducci 2006, p.i). Second, the CPUCH indicates preference (with allowable exceptions) for *in situ* preservation, recognizing the importance of the context in which marine cultural resources are found and the ideal conditions for preservation (such as low oxygen and low light) that are naturally present on the seafloor. Another important principle of the CPUCH is the rejection of commercial exploitation of marine cultural heritage. This principle indicates international recognition of the harms done by treasure hunters, and a concerted turn toward preservation and protection (which of course has its own economic implications, which are too detailed and context-specific to outline here). In accordance with this principle, the CPUCH exempts historical artifacts from the law of salvage except under specific circumstances. Another significant focus of the CPUCH concerns national jurisdiction over marine cultural resources on the seabed, asserting the legal regime of coastal states over artifacts found in the seabed of the contiguous zone (the area up to 24 nautical miles from the coast in which nations can exert certain controls, mainly customs and immigration). Regarding marine cultural resources found in the Exclusive Economic Zone, the continental shelf, or the Area Beyond National Jurisdiction (high seas), the CPUCH establishes “a specific international cooperation regime encompassing notifications, consultations and coordination in the implementation of protective measures” (Carducci 2006, p.ii). Thus, while avoiding delicate



questions of ownership, the CPUCH resolves the lack of clarity in UNCLOS mentioned above, and signals a move toward international cooperation regarding marine cultural heritage. This tendency is articulated even more strongly in Article 2 of the CPUCH, which stipulates that marine cultural heritage should be preserved for the benefit of humanity as a whole, and that States should take the necessary actions, individually or cooperatively, to do so. In this way, the CPUCH amplifies notions of a fundamental relationship between historical traces in the sea and the human species. Finally, the CPUCH includes principles in support of training and education in the preservation of marine cultural heritage, including international cooperation in technology transfer (Carducci 2006).

Taking into account the principles that it asserts, the CPUCH can be read as creating a frontier for ocean governance through a mechanism for the protection of marine cultural heritage. The CPUCH also creates a frontier for museum practices regarding professional standards, as well as prompting the development of underwater museums as a result of the *in situ* preservation principle (see Koschtial 2008). The CPUCH not only inaugurates new regulations but also proliferates and codifies new spheres of international and intergovernmental activity, such as training and technology transfer. Of course, it bears noting that the CPUCH could also be read as effectively closing a frontier: the frontier of the commercial exploitation of shipwreck salvage, which had recently been truly opened by the development of SCUBA and other forms of underwater technologies such as remotely operated underwater vehicles (Kaoru and Hoagland 2001). For example, in a commentary on a draft of the convention, Peter Hess described the CPUCH as a foolish attempt on the part of national governments to regulate and capitalize upon a realm of exploration and enterprise which would, at best, push commercial activity around shipwreck exploitation to the black market as this would be the only outlet given stringent

international regulation (Hess 1998). Thus, whether the international governance of marine cultural heritage constitutes a frontier, and what that frontier means, is not a settled question.

### **Marine cultural heritage and frontiers of ocean politics**

The CPUCH is widely hailed as an agenda-setting document that newly recognizes the role of the sea in world history and the importance of preserving the traces found there for their cultural value for both specific communities and humanity as a whole. In many ways, it can be seen as marking a frontier in ocean governance. Yet it is important to note that UNESCO is barely approaching the far more radical ideas of postcolonial, subaltern, and Black studies scholars and writers when it comes to historical ties between human culture and the ocean, such as those forged in the horrors of the Middle Passage. Therefore, while it may demarcate a frontier for marine governance, a different set of considerations must be taken into account when evaluating it as a frontier for marine *politics*. In his book *Poetics of Relation*, Glissant offers a haunting description of undersea routes connecting the African diaspora, signposted by what he calls the “scarcely corroded” balls and chains: all that remains of slaves thrown overboard during the Middle Passage. He evokes an ocean that is truly global, even singular, but only thinkable through these traces of extreme violence and loss: “the entire ocean, the entire sea gently collapsing in the end into the pleasures of sand, make one vast beginning, but a beginning whose time is marked by these balls and chains gone green” (Glissant 1997, p.6). Indeed, Baucom points out the degree to which the drowned slave body, with, we might add, its potential or realized material traces, “has come to function in black Atlantic narrative, aesthetic, and commemorative practices much as the entombed body of the unknown soldier functions in Benedict Anderson’s account of nationalism” (2001, p.68).

While these meanings of marine cultural history clearly have special relevance to the African diaspora, they cannot be reduced to ‘identity politics’ or the special interests of a circumscribed group. Recognition of the role these drowning bodies and the subaltern histories they signal have played in the history of global capitalism is inextricable from the ocean’s role in history upon which marine cultural heritage draws. For example, Linebaugh and Rediker use records from the revolutionary Atlantic to show that that primitive accumulation of land and labor across the Atlantic “laid the military, commercial, and financial foundations for capitalism and imperialism” (2000, p.145). Modernity, Harney and Moten write, is “sutured by this hold,” the space of captivity at the heart of global logistics that contains those who are “not just labor but commodity” (2013, p.93). Such figurations point us to contemporary injustices and their future traces as well. What will future archaeologists make of the marine traces of hundreds of sunken migrant ships in the Mediterranean? Or from the remains of chemical weapons dumped in the Gotland Deep (Neimanis et al. 2017)? What will they infer about the nature of the human species as they read these traces? If the marine archaeological record is taken as a whole, past and present, on a global scale, what continuities between seemingly different injustices might it reveal (see also Sharpe 2016)?

If conventional archaeology has legitimized hegemonic interests, to put it broadly, then postcolonial and Black radical figurations of undersea heritage attempt to do just the opposite. Thus, I point to Glissant here not solely to show that intergovernmental regimes and archaeological science do not have a monopoly on ways of knowing and making meaning from submerged histories. More pointedly, as a desire to protect and interpret marine historical traces, particularly from sites such as the slave trade, becomes more widespread, postcolonial, subaltern, and radical Black scholars and activists will be put in relation to maritime archaeology and its

modes of knowledge and governance. The question of who will benefit from these relationships, which forms of knowledge and which institutions will be elevated and which may be sublimated to the other in academic and public discourses, remains open. To give a concrete socio-economic example, tourism plays a contested role in many postcolonial nations. While marine cultural heritage principles encourage coastal tourism that will aid in protection efforts for underwater sites such as shipwrecks, there is no provision much less guarantee that these enterprises will be executed in such a way that benefits local communities. But there are conceptual risks as well, concerning hierarchies of knowledge and their relationships to politics and governance. If marine cultural heritage can be considered a frontier for knowledge and governance, it is crucial to keep in mind that a frontier implies a territory, that which is “owned, distributed, mapped, calculated, bordered and controlled” (Elden 2010, p.810). Territories of knowledge and governance intersect with spatial territorialization in contested ways. In tension with its relation to territory, the notion of the frontier implies impulses to both fix and transgress limits (Raffestin 1986). If we consider postcolonial, subaltern, and radical Black scholarship and maritime archaeology as knowledge territories brought into proximity by the prospect and promise of marine cultural heritage, then which will transgress into the other’s territory? How can these transgressions and reterritorializations serve not simply models of international cooperation and mutual benefits but visions of a more just world, with the recognition that the traces of the past are very much alive in the present?

### **Conclusion: Frontier or center?**

Entwined with pressing environmental, political, economic, and legal issues, marine cultural heritage can be understood as a frontier in many different ways. Moreover, marine cultural

heritage challenges the frontier concept and prompts us to ask what is at stake in naming something a frontier. As a spatial or resource frontier, marine cultural heritage identifies an emerging set of sites and objects as part of changing contestations over management, ownership, and access in the marine environment. As a knowledge frontier, marine cultural heritage not only indicates increased recognition of the historical connection between humanity and the sea but it also effectively is co-created with the emerging discipline of maritime archaeology, and thus a new set of knowledge practices, analytics, and literatures. As a frontier for ocean governance, the coalescence of marine cultural heritage as an object of international concern has led to the development of new intergovernmental legislation with implications for territorial control, practices of regulation and policing, and economic activities. Read this way, marine cultural heritage is not only a multivalent frontier, it is also a *productive* frontier, bringing new activities, organizing frameworks, and material traces into the world.

Drawing attention to marine cultural heritage as an ocean frontier must be understood as representing a spatial and governmental regime that is unstable, novel, and beyond the control of any given nation-state. The notion of a frontier also names an area of contestation between already-existing governments, disciplines, and political commitments. By considering the UNESCO CPUCH alongside postcolonial and Black radical scholarship on historical ties to the ocean, as well as investigating disciplinary and professional attachments to marine cultural heritage, I have attempted to highlight the stakes of this frontier beyond spatial governance. Marine cultural heritage involves contestations on many fronts, some of which can be analyzed through the frontier notion. These contestations are made all the more unstable by the changing marine environment and new dynamics regarding the cultural, political, and economic significance of the ocean.

These complex and changing meanings of the ocean in fact suggest a fundamental instability when it comes to considering marine cultural heritage as an ocean frontier. On one hand, as I have shown here, marine cultural heritage is a frontier in many dimensions: for knowledge, governance, and politics as well as in terms of spatial territory. Yet the very idea of marine cultural heritage also relies on the idea that the ocean is not a frontier in an ontological sense: that is has been central to life on Earth throughout human history and beyond, rather than being a peripheral space of marginal interest to those who would document the past and govern the present. International consensus on the importance of protecting marine cultural heritage also asserts that submerged sites and objects, and the ocean environment more broadly, *should not* be a frontier in a normative sense: that the sea should not be a resource frontier at risk of destroying heritage resources. Therefore, while exploring marine cultural heritage as a multidimensional frontier can reveal much about marine contestations, the very act of naming a frontier serves a powerful reminder that these labels are always situated and partial, and that they have significant implications for politics and governance in and beyond the ocean.

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